

REMARKS

Applicant respectfully requests reconsideration of the present application, as amended.

Claims 1-13 are pending in the present application.

Claims 1 and 9-10 have been amended. Support for amended claims 1 and 9-10 is found in the patent application as originally filed. For example, the specification at page 6, lines 16-24 describes that the coating applied over the light emitter is in the form of an epoxy containing inorganic phosphor powder which has been premixed with the epoxy to form a viscous slurry. Figures 3-4 of the drawings also show that the particles in the coating are evenly settled on and around the light emitter within the cavity. It is submitted that the amendments to the claims do not add new matter.

The Examiner has rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite because the term "projection platform" lacks the antecedent basis.

As stated above, claims 1 and 9-10 have been amended. It is submitted that amended claim 1 satisfies the requirement of 35 U.S.C. § 112, second paragraph because amended claim 1 does not contain the term "projection platform".

Claims 1-2, 6-7, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 3,555,335 of Johnson ("Johnson") in view of U.S. Patent No. 6,340,824 of Komoto et al. ("Komoto").

Claims 1, 3-6, 9, and 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over JP patent application publication no. JP 62-235,787 (JP 62-235,787) in view of Komoto.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Komoto and U.S. Patent No. 5,019,746 of Merg

("Merg"), or in the alternative, over JP 62-235,787 in view of Komoto and Merg.

Claims 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Komoto and U.S. Patent No. 5813753 of Vriens et al. ("Vriens"), or in the alternative, over JP 62-235,787 in view of Komoto and Vriens.

As described above, claims 1 and 9-10 have been amended. It is submitted that the combination of Johnson, Komoto, and JP 62-235,787 does not render amended claim 1 unpatentable under 35 U.S.C. § 103(a).

It is submitted that the combination of Johnson, Komoto, and JP 62-235,787 does not disclose a semi-fluid coating having particles of another substance and being applied over a light emitter that is mounted on a projecting platform within a cavity, wherein the platform and the cavity allow the particles in the coating to be evenly settled on and around the light emitter within the cavity.

On the contrary, neither Johnson nor JP 62-235,787 shows a semi-fluid coating layer containing particles of another substance being applied to a light emitter (see Johnson Figures 4-6 and JP 62-235,787 Figures 1-3). As for Komoto, although Figures 96A-B and 103-108 do show pieces of fluorescent material being placed around a LED (see Figure 96B of Komoto), the pieces are planar pieces and are formed by sintering a mixed material containing the fluorescent material (see Komoto col. 39, lines 60-63 and col. 40, lines 5-30). This means that the pieces are solid-state pieces that are then placed near the light emitter (see Komoto col. 39, lines 60-63 and col. 40, lines 5-8 and 15-19). Given the fact that none of the references shows a semi-fluid coating applied to the light emitter, they also do not teach or suggest the feature of making the

particles within the coating to be evenly settled on and around the light emitter within the cavity.

In contrast, amended claim 1 states in part that

a semi-fluid coating having particles of another substance and being applied over the light emitter, wherein the platform and the cavity allow the particles in the coating to be evenly settled on and around the light emitter within the cavity.

(Amended claim 1)(Emphasis added).

In addition, it is submitted that the combination of Johnson, Komoto, and JP 62-235,787 does not disclose a light emitting device that has (1) a cavity within a base substrate, (2) a projecting platform at the base of the cavity, and (3) a semi-fluid coating having particles of another substance, wherein the platform and the cavity allow the particles in the coating to be evenly settled on and around the light emitter within the cavity (Emphasis Added).

On the contrary, neither Johnson nor JP 62-235,787 shows a semi-fluid coating layer containing particles of another substance being applied to a light emitter (see Johnson Figures 4-6 and JP 62-235,787 Figures 1-3). As for Komoto, it does not show the projecting platform and the pieces of fluorescent material being placed around a LED are planar pieces and are formed by sintering a mixed material containing the fluorescent material (see Komoto col. 39, lines 60-63 and col. 40, lines 5-8 and 15-19). This means that none of the cited reference shows, teaches, or suggests using a projecting platform to hold a light emitter within a cavity and mixing fluorescent particles in a semi-fluid coating such that when the coating is applied to the light emitter, the particles in the coating are evenly settled on and around the light emitter within the cavity.

In contrast, amended claim 1 states in part that

a base substrate with a cavity to form a reflective cup;
a projecting platform at the base of the cavity;
a light emitter mounted on the projecting platform;
a semi-fluid coating having particles of another substance and being applied over the light emitter, wherein the platform and the cavity allow the particles in the coating to be evenly settled on and around the light emitter within the cavity.

(Amended claim 1)(Emphasis added).

Given that claims 2-13, as amended, depend from amended claim 1, it is likewise submitted that claims 2-13, as amended, are also patentable under U.S.C. § 103 in view of the prior art references cited by the Examiner.

In view of the amendments and arguments set forth herein, it is respectfully submitted that the applicable rejections and objections have been overcome. Accordingly, it is respectfully submitted that claims 1-13, as amended, should be found to be in the condition for allowance.

Respectfully submitted,

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